

CITY PLANNING BOARD

Springfield, Ohio

Monday, August 10, 2020

7:00 P.M.

Virtual Meeting

Meeting Minutes

(Summary Format)

Chairperson Charlene Roberge called the meeting to order at 7:00 P.M.

MEMBERS Ms. Kathryn Lewis-Campbell, Mr. Charles Harris, Ms. Amanda Fleming, Ms. Trisha George, Mr. Jack Spencer., and Ms. Charlene Roberge.

MEMBERS ABSENT: Mr. James Smith and Mr. Alex Wendt

OTHERS PRESENT: Stephen Thompson, Planning, Zoning, and Code Administrator and other interested parties

Case # 19-Z-14 OPD-H Amendment request from Derby Glen LLC to amend an approved OPD-H plan for Derby Ct to not install public sidewalks.

Mr. Thompson gave the staff report.

Ms. Roberge asked if there was any additional information from the fire department.

Mr. Thompson explained the fire department would prefer the sidewalks for emergency situations to reduce injury to pedestrians in the street or on the sidewalks when emergency vehicles arrive on the scene. Mr. Thompson stated however, when talking to the department director and the city manager's office, they did not feel that was important enough stance to recommend denial for the overall staff recommendation given it is a cul-de-sac and the residence that currently live there. Mr. Thompson stated that was a standard response and did not go into any more depth.

Ms. Roberge asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Roberge asked if there were any questions for the applicant. Hearing none, Ms. Roberge asked if the applicant wished to speak.

Mr. James Pfeiffer. Attorney for developer and representing the applicants. 20 South Limestone St. Springfield, OH.

Mr. Pfeiffer stated he would like to point out some important characteristics of the neighborhood that separate them from other neighborhood that would normally be covered by the subdivision regulations. Mr. Pfeiffer explained the development was unique condominium,

single family homes. Mr. Pfeiffer explained properties were standalone homes on small lots with very little green space. Mr. Pfeiffer explained the development was like a single family residence district in a platted sub-division, which is what they have because there are public streets. In a condominium, streets are generally private. Mr. Pfeiffer explained nearby locations in Ross Commons, do not have sidewalks. Mr. Pfeiffer explained the units were very close to the street, the street is fifty-foot-wide right of way, twenty-two feet of the area is paved, there a four-foot tree lawn starting with the curb, an eight-foot section for utilities and four-foot for sidewalks. Mr. Pfeiffer explained the distance from the front door to the street was a very small distance. Mr. Pfeiffer explained there were no other developments like Derby Glenn in Springfield and it is attractive to Senior living. Mr. Pfeiffer explained there were twenty-one owners and they are all in agreeance, they do not want sidewalks.

Ms. Fleming explained that she drove through the neighborhood and understands why the people who live there would not want the sidewalks. Ms. Fleming explained that she had an issue with the planner and designer of the neighborhood. Ms. Fleming explained that she felt there was a large assumption that it would be fine if you there were no sidewalks knowing they were in the original design and it was a requirement of the city. Ms. Fleming questioned why the designer didn't make the street private. Ms. Fleming felt it was wrong to let the potential buyers think they would not have sidewalks, knowing it was a requirement.

Mr. Bryan Heck, City Manager, 76 East High Street. Springfield, OH.

Mr. Heck explained that he worked with the applicant back in 2013 when he was the Planning and Zoning administrator. Mr. Heck explained there is a huge difference from present to when it was just a plan on paper. It did not make sense to divert from the subdivision regulations. Mr. Heck explained after the development has been built out and all of the lots of either been built on or sold, Mr. Heck felt the most valid point made, would be the storm water related issues, the green space is very limited. Mr. Heck explained that was characteristic of higher density development and being that is actually in a flood plain, you can see that is actually built out and can understand the request. Mr. Heck explained that is the major difference from now and back in 2013 when they were looking at a piece of paper. Mr. Heck explained Staff has seen how unique the development and seeing the home situated on the lots, that's why staff is recommending approval of the request.

Ms. Fleming stated she understood but felt they never intending to have sidewalks and it was an unacceptable to set the precedent.

Mr. Pfeiffer explained the development is very unique and felt it would make since to keep it a public street. Mr. Pfeiffer did originally request that sidewalks not be installed because it did not fit into the development. Mr. Pfeiffer explained there were no assumptions made by the developer, he had a proposal that he made in good faith but the plan board initially turned it down. Mr. Pfeiffer explained the developer did not realize the reaction he would get about putting sidewalks in from the owners until they all started moving in. The owners are very against the sidewalks. Mr. Pfeiffer explained the trees are located in the tree lawn area, that was never meant to have sidewalks. The next eight feet were for public utilities, four feet behind that is where the sidewalks would have been located. Mr. Pfeiffer explained the sidewalks did

not make sense and it was not fair to penalize the residents for what may be an oversight or an assumption by the developer.

Ms. Fleming stated she understood but was not comfortable setting that kind of precedent for future applicants.

Ms. George stated the controversy seems to be over private rules on a public street. Ms. George asked if the street could be made private.

Mr. Pfeiffer believes the public street is a positive thing for the development but there is no need for the sidewalks.

Mr. Thompson explained it was important for the street to remain public do to the development being located in a flood plain and the public services are available to the residents.

Mr. Spencer stated he understood the concerns but felt they needed to do what was best for the community. Mr. Spencer explained he would like to see more developments like it throughout the city. Mr. Spencer stated opportunities may be lost if the board wasn't in favor of approving not putting sidewalks in. Mr. Spencer wants to encourage more developments in Springfield. Mr. Spencer explained the benefits of not putting sidewalks in trumps the developer not following the guidelines the strictest sense. Mr. Spencer explained the city staff thinks its ok and they have more experience on the topic and that he himself would follow the cities suggestion and their expertise.

Ms. George questioned if the board approves the sidewalks not going in, does that mean future developments of this kind do not have to have sidewalks.

Mr. Thompson stated no the board should take this as setting a precedent for cases in the future. Mr. Thompson said the development is unique. Each case should be held on their own merit.

Ms. Roberge just wants to make sure the same situation doesn't arise in the future.

Mr. Thompson stated if he was in the same position, he would make sure the applicants would understand the situation.

Ms. Roberge asked if there were any further questions for the applicant. Hearing none, Ms. Roberge asked for a motion.

MOTION: Ms. George mad a motion to approve Case # 19-Z-14 OPD-H Amendment request from Derby Glen LLC to amend an approved OPD-H plan for Derby Ct to not install public sidewalks. Seconded by Mr. Spencer.

YEAS: Ms. Fleming, Mr. Harris, Ms. George Mr. Spencer and Ms. Roberge.

NAYS: None.

Motion approved 5 to 0.

Case # 19-SUB-03 Subdivision request from Derby Glen LLC to amend an approved subdivision plan for Derby Ct to not install public sidewalks.

Ms. Roberge asked if the board had any further questions. Hearing none, Ms. Roberge asked if there was anyone else that wished to speak. Hearing none, Ms. Roberge asked for a motion.

MOTION: Motion by Ms. George to approve Case # 19-SUB-03 Subdivision request from Derby Glen LLC to amend an approved subdivision plan for Derby Ct to not install public sidewalks. Seconded by Ms. Fleming.

YEAS: Ms. Fleming, Mr. Harris, Ms. George Mr. Spencer and Ms. Roberge.

NAYS: None.

Motion approved 5 to 0.

SUBJECT: Board Comments

Ms. Lewis- Campbell stated she had trouble with her sound and was on the meeting the entire time but was unable to vote. Ms. Lewis-Campbell stated she would have voted yes for both cases.

SUBJECT: Staff Comments

Commissioner Chilton thanked the board and the staff.

SUBJECT: Adjournment

Motion to adjourn by Ms. George. Seconded by Ms. Fleming

Approved by voice vote. Adjourned at 7:40 P.M.

	dotloop verified 02/26/21 1:45 PM EST 028X-K3M5-NUVO-OVED
---	---

Ms. Charlene Roberge, Chair
Mr. Jack Spencer, Vice-Chairperson.